



MONTGOMERY COUNTY ETHICS COMMISSION

Steven Rosen
Chair

Kenita V. Barrow
Vice Chair

September 1, 2016

Waiver 16-08-021

Pursuant to § 19A-12(b)(1)(B) of the Public Ethics Law, a public employee must not be employed by a business that negotiates or contracts with the County agency with which the public employee is affiliated, unless the Ethics Commission grants a waiver.

Margaret Ann Persaud is a school community health nurse with the Department of Health and Human Services (DHHS) School Health Services. She requests a waiver of the prohibition of § 19A-12(b)(1)(B) so that she can be employed at Washington Adventist University (WAU) as a Nurse Educator/Assistant Professor.

DHHS has an arrangement with WAU in connection with a Population/Community Health Course, but this arrangement does not involve School Health Services. Ms. Persaud's outside employment with WAU is not funded by nor has any relationship to the arrangement DHHS has with WAU, and her employment with DHHS as a school health nurse has no relation to the arrangement DHHS has with Suburban.

Pursuant to § 19A-8(b)(3) of the Public Ethics Law, the Ethics Commission may grant a waiver of the prohibition of § 19A-12(b) if the Ethics Commission concludes that the proposed employment is not likely to create an actual conflict of interest. Upon a review of the request and the Department's concurrence in and support for the waiver request, the Commission finds that there is no actual conflict of interest. Pursuant to the standard of § 19A-8(b)(3), the Commission grants the waiver of the prohibition of § 19A-12(b). The waiver is conditioned on Ms. Persaud not referring, in her County capacity, DHHS clients to WAU and on her not working, while at WAU, with any clients of her program at DHHS.

In reaching this decision, the Commission has relied upon the facts as presented by Ms. Persaud.

For the Commission:

Steven Rosen, Chair

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